

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Applicants thank the Examiner for total consideration given the present application. Claims 1 and 12-15 were pending prior to the Office Action. Claim 16 has been added through this reply. No claims have been canceled through this reply. Therefore, claims 1 and 12-16 are pending. Claims 1 and 14 are independent. Applicants respectfully request reconsideration of the rejected claims in light of the remarks presented herein, and earnestly seeks a timely allowance of all pending claims.

OFFICIAL ACTION

Claim Rejection – 35 U.S.C. § 112

Claims 1 and 12-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite based on the expression of “any size.” Applicants have removed the expression “any size” from the claims. Therefore, the Examiner’s rejection is moot – it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejection - 35 U.S.C. § 103(a)

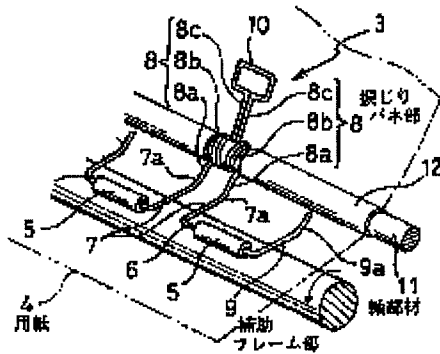
Claims 1 and 12-13, and 15 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Japanese Publication No. 2001-130780 (the ‘780’ publication) in view of Nakano (U.S. Patent 5,540,423). Applicants respectfully traverse this rejection.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142*. One requirement to establish a *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j)*. Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

Argument 1: Features of claims 1 and 14 not taught:

Un-amended claim 14 recites, *inter alia*, “each of the sheet transport guides including a torsion coil spring having a coil portion fixed to a frame, where the coil portion has a first arm portion which extends to and is attached to a respective rotation shaft of one of the driven rollers and the coil portion has a second arm extending to and fixed to the frame.” *Emphasis added.*

At most, the ‘780’ publication merely discloses a torsion spring (element 8) that includes a second arm extending away from the frame (Examiner interprets the frame as element 11):



Unlike the claimed apparatus, a loop portion for connection 10 of the ‘780’ publication is not fixed to a frame and is in a free condition. Therefore, the Examiner has misinterpreted the looped portion for connection 10 as being fixed to the frame.

More specifically, while the ‘780’ publication discloses a torsion spring and a second arm extending away from the frame, the ‘780’ publication (at the location of element 10) fails to disclose the second arm extending to the frame and the second arm being fixed to the frame. The portion that is “fixed” to the frame is merely the coil portion, not the second arm. Therefore, the ‘780’ publication fails to disclose the coil portion has a second arm extending to and fixed to the frame.

Further, Nakano does not make up for the deficiencies of the ‘780’ publication. Nakano merely discloses a sheet feeding device (*i.e.*, Figures 1-6) having sheet feed rollers (element 6) includes resist rollers (elements 61, 62, 63, 64). However, Nakano fails to disclose the claimed plurality of sheet transport guides, where each of the sheet transport guides including a torsion coil spring having a coil portion fixed to a frame, where the coil portion has a first arm portion

which extends to and is attached to a respective rotation shaft of one of the driven rollers and the coil portion has a second arm extending to and fixed to the frame.

Independent claim 14 is submitted to be allowable over the combination of the '780' publication and Nakano for at least this reason.

Independent claim 1 is allowable for similar reasons as set forth above in reference to independent claim 14.

Dependent claims are allowable for the reasons set forth above with regards to the independent claims at least based on their dependency on the independent claims.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 12-13, and 15 under 35 U.S.C. § 103(a).

Reconsideration and allowance of claims 1, 12-13, and 15 are respectfully requested for at least these reasons.

Argument 2: Features of claims 1 and 16 not taught:

Applicants have amended independent claim 1 merely to further clarify the invention in order to move prosecution forward. Independent claim 1 has been amended to include additional limitations. Claim 1 as amended recites, *inter alia*, "a plurality of sheet transport guides, each guiding toward the rotation roller, a sheet to be transported between the rotation roller and the driven rollers, each of the sheet transport guides including a torsion coil spring having a coil portion fixed to a frame, the frame extends along a path where the sheet is to be transported, wherein the coil portion has a first arm portion which extends to and is attached to a respective rotation shaft of one of the driven rollers and the coil portion has a second arm extending to and fixed to the frame, an end of the second arm extends away from the coil portion and the end of the second arm is fixed to the frame at a location along the path different from a location of the coil portion." *Emphasis added.*

As discussed above, the '780' publication (and Nakano) fails to disclose the coil portion has a second arm extending to and fixed to the frame. Further, the '780' publication fails to disclose a coil portion fixed to a frame at a first location along a sheet transport path and a second

arm fixed to the frame at a second different location along the sheet transport path and Nakano does not cure the deficiencies found in the '780' publication.

Therefore, independent claim 1 is submitted to be allowable over the combination of the '780' publication and Nakano for at least this reason.

Dependent claim 16 is allowable for similar reasons as set forth above in reference to independent claim 1.

Dependent claims are allowable for the reasons set forth above with regards to independent claim 1 at least based on their dependency on independent claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1 and 12-13 under 35 U.S.C. § 103(a).

Reconsideration and allowance of claims 1 and 12-13 are respectfully requested for at least these reasons.

Conclusion

Therefore, for at least these reasons, all claims are believed to be distinguishable over the combination of the '780' publication and Nakano, individually or in any combination. It has been shown above that the cited references, individually or in combination, may not be relied upon to show at least these features. Therefore, claims 1 and 12-13 are distinguishable over the cited references.

In view of the above remarks and amendments, it is believed that the pending application is in condition for allowance.

Applicants respectfully request that the pending application be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh, Reg. No. 62,278, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/551,581
Amendment dated July 10, 2009
Reply to Office Action of April 16, 2009

Docket No.: 4492-0135PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: July 10, 2009

Respectfully submitted,

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